

118TH CONGRESS  
2D SESSION

# H. R. 7923

To limit USDA funding for ground-mounted solar energy systems, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 10, 2024

Mr. BOST (for himself, Mr. FINSTAD, Mr. LANGWORTHY, and Mr. AUSTIN SCOTT of Georgia) introduced the following bill; which was referred to the Committee on Agriculture

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## A BILL

To limit USDA funding for ground-mounted solar energy systems, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Securing Our Lands  
5 and Resources Act” or the “SOLAR Act”.

6 **SEC. 2. LIMITATION ON USDA FUNDING FOR GROUND-**  
7 **MOUNTED SOLAR ENERGY SYSTEMS.**

8 (a) DEFINITIONS.—In this section:

9 (1) COVERED FARMLAND.—The term “covered  
10 farmland” has the meaning given in the term in sec-

1 tion 1540(c)(1) of the Farmland Protection Policy  
2 Act (7 U.S.C. 4201(c)(1)).

3 (2) CONVERSION.—The term “conversion”  
4 means, with respect to covered farmland, any activ-  
5 ity that results in the covered farmland failing to  
6 meet the requirements of a State (as defined in sec-  
7 tion 343 of the Consolidated Farm and Rural Devel-  
8 opment Act (7 U.S.C. 1991)) for agricultural pro-  
9 duction, activity, or use.

10 (3) SECRETARY.—The term “Secretary” means  
11 the Secretary of Agriculture.

12 (b) IN GENERAL.—The Secretary may not provide fi-  
13 nancial assistance for a project that would result in the  
14 conversion of covered farmland for solar energy produc-  
15 tion.

16 (c) EXCEPTION.—Subsection (b) shall not apply to  
17 a project if the project—

18 (1) results in the conversion of less than the  
19 greater of—

20 (A) a de minimis amount of covered farm-  
21 land for solar energy production relative to the  
22 total project area necessary for the success of  
23 the project, as determined by the Secretary, not  
24 to exceed 5 acres; or

25 (B) 1 acre of covered farmland; and

1           (2) has received a resolution of approval or sup-  
2           port, or other similar instrument from each county  
3           and municipality in which the project is sited.

4           (d) COVERED FARMLAND PROTECTION.—

5           (1) MITIGATION AND REMEDIATION PLAN RE-  
6           QUIRED.—A person who has applied to the Secretary  
7           for financial assistance for a project that would re-  
8           sult in the conversion of covered farmland for solar  
9           energy production and to which subsection (b) does  
10          not apply shall—

11           (A) develop a mitigation and remediation  
12          plan for the project to—

13           (i) implement best practices to protect  
14          future soil health and productivity, and  
15          mitigate soil erosion, compaction, and  
16          other effects of solar energy production  
17          during construction, operation, and decom-  
18          missioning; and

19           (ii) remediate and restore the soil  
20          health of the farmland to that of the farm-  
21          land before the solar energy production  
22          project construction; and

23           (B) ensure that sufficient funds, as deter-  
24          mined by the Secretary, are provided for the de-  
25          commissioning of the solar energy production

1 system and the remediation and restoration of  
2 covered farmland to carry out the mitigation  
3 and remediation plan described in subparagraph  
4 (A).

5 (2) OBLIGATION AND DISBURSEMENT OF  
6 FUNDS.—The Secretary may obligate financial as-  
7 sistance for a project described in paragraph (1),  
8 but shall not disburse the financial assistance until  
9 the Secretary has determined that the applicant for  
10 the financial assistance has complied with paragraph  
11 (1).

12 (3) PLAN IMPLEMENTATION.—A person re-  
13 ferred to in paragraph (1) shall carry out—

14 (A) the provisions of the plan that are de-  
15 scribed in paragraph (1)(A)(i), on the receipt  
16 by the project of financial assistance from the  
17 Secretary and for the duration of solar energy  
18 production under the project; and

19 (B) the provisions of the plan that are de-  
20 scribed in paragraph (1)(A)(ii), on the cessation  
21 of solar energy production under the project.

22 (4) COMPLIANCE.—A person who fails to com-  
23 ply with paragraph (3) with respect to a project  
24 shall repay to the Secretary the full amount of the

- 1 financial assistance provided by the Secretary to the
- 2 person for the project.

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